




*Mike Wasserman, Mayor
Diane McNutt, Vice Mayor
Steve Glickman, Council Member
Joe Pirzynski, Council Member
Barbara Spector, Council Member*

NOTICE OF SPECIAL MEETING
TOWN OF LOS GATOS
**TOWN COUNCIL/PARKING AUTHORITY/
REDEVELOPMENT AGENCY**
JUNE 20, 2005

REGULAR COUNCIL MEETING WILL BE TELEVISED BEGINNING AT 7:00 P.M.

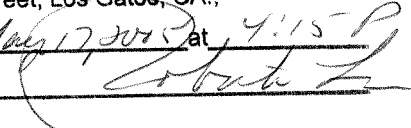
NOTICE IS HEREBY GIVEN that Mike Wasserman, Mayor of the Town Council of the Town of Los Gatos called a Special Meeting for 5:00 p.m. to conduct Commission/Board/Committee interviews (in the Council Chambers), and to facilitate a 5:15 p.m. Closed Session (in Town Manager's Office). Regular Town Council meeting will begin at 7:00 p.m.


MarLyn Rasmussen, Clerk Administrator

Dated: June 17, 2005

cc: San Jose Mercury News
Los Gatos Weekly Times
Los Gatos Daily News
Council Members
Posted

County of Santa Clara, California
I declare, under penalty of perjury, that I
am employed by the Town of Los Gatos,
Clerk Department, and that I posted this
Item on the Town Bulletin Board at 110 E.
Main Street, Los Gatos, CA.,

on May 17, 2005 at 4:15 P
Signed 



**TOWN OF LOS GATOS
TOWN COUNCIL
CLOSED SESSION AGENDA
110 EAST MAIN STREET - TOWN MANAGER'S OFFICE
JUNE 20, 2005 – 5:15 P.M.**

*Mike Wasserman, Mayor
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**CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION
(Government Code Section 54956.9[a])**

Worker's Compensation Claim - Timothy Morgan v. Town of Los Gatos

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Government Code Section 54956.9[b])**

15310 Kennedy Road - Potential violation of open space easement
(MidPeninsula Open Space District)

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Government Code Section 54956.8)**

Property:	Town of Los Gatos Wastewater System Assets
Negotiating parties:	Town of Los Gatos (Negotiator: Orry Korb, Town Attorney) West Valley Sanitation District (Negotiator: Robert Reid, General Manager)
Under Negotiation:	Price and terms of payment

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957)**

Title: Town Attorney

ADJOURNMENT

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Mike Wasserman, Mayor
Diane McNutt, Vice Mayor
Steve Glickman, Council Member
Joe Pirzynski, Council Member
Barbara Spector, Council Member

**TOWN OF LOS GATOS
JOINT TOWN COUNCIL/PARKING AUTHORITY/
REDEVELOPMENT AGENCY
JUNE 20, 2005
110 East Main Street
Council Chambers (Downstairs)
Los Gatos, California**

PARTICIPATION IN THE PUBLIC PROCESS

The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you wish to speak to an item on the agenda, please complete a "speaker's card" located on the back of the chamber benches and return it to the Clerk Administrator. If you wish to speak to an item NOT on the agenda, you may do so during the "verbal communications" period. The time allocated to speakers may change to better facilitate the Town Council meeting.

The purpose of the Town Council meeting is to conduct the business of the community in an effective and efficient manner. This is done by following meeting guidelines set forth in State law and in the Town Code. Conduct which is considered disruptive during Town Council meetings include, but is not limited to:

- Addressing the Town Council without first being recognized;
- Interrupting speakers, Town Council, and Town staff;
- Continuing to speak after the allotted time has expired;
- Failing to relinquish the podium when directed to do so; and
- Repetitiously addressing the same subject.

For the benefit of the community, the Town of Los Gatos asks that you follow the Town's meeting guidelines while attending Town Council meetings and treat everyone with respect and dignity.

**Town Council Meetings Broadcast Live on KCAT, Channel 15
1st and 3rd Mondays at 7:00 p.m.**

**Rebroadcast of Town Council Meetings
Following Saturday at 12:00 Noon**

**TOWN OF LOS GATOS
JOINT TOWN COUNCIL/PARKING AUTHORITY/
REDEVELOPMENT AGENCY**

JUNE 20, 2005

BOARDS/COMMISSION/COMMITTEES INTERVIEWS - 5:00-5:15 P.M.

General Plan Committee (1)

CLOSED SESSION - 5:15-6:45 P.M.

REGULAR MEETING CALLED TO ORDER - 7:00 P.M.

ROLL CALL

PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT

BOARDS/COMMISSION/COMMITTEES APPOINTMENTS

Community Services Commission (1)
General Plan Committee (1)
Transportation and Parking (1)

PRESENTATIONS

Commendations

Mary Ann Park, Superintendent, Los Gatos Union School District

Volunteer Recognition

Joann Milburn

Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a decision of the Town Council/Redevelopment Agency must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT PATSY GARCIA AT (408) 354-6832. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING
[28 CFR §35.102-35.104]

TOWN COUNCIL

CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION) *(Before the Town Council/Redevelopment Agency acts on the consent agenda, any member of the public or Town Council/Agency may request that any item be removed from the consent agenda. Consent items pulled at the request of the public will be considered after Public Hearings)*

1. Accept Schedule of Public Hearings
2. Ratify payroll for the month of May 2005
3. Ratify accounts payable for May 2005
4. Approve the Fiscal Year 2005-2006 Storm Water Management Budget, and authorize the West Valley Sanitation District to collect program related fees on behalf of the Town
5. Approve Town Council Meeting Schedule for 2005 - 2006 Fiscal Year
6. Adopt Resolution authorizing the Town Manager to execute an amendment to the Professional Services Agreement with Innovative Claims Solutions, Incorporated to extend the contract for one year to perform workers' compensation claims administration
7. Adopt resolution regarding conversion of Town owned residential properties to office use for Town facilities
8. Adopt a resolution approving a Second Continuation Agreement with the West Valley Sanitation District of Santa Clara County
9. Adopt resolution authorizing Town Manager to apply for Safe Route To School Grants Funding with the City of Campbell
10. Adopt resolution authorizing Town Manager to enter into an agreement with Linhart Petersen Powers and Associates (LP2A) for building permit plan check and inspection consultant services
11. Equipment Purchase
Adopt Resolution authoring Town Manager to execute an agreement with Joseph H. Schauf Company, Incorporated for the purchase of the Cooling Tower in the amount of \$33,560.00 from Account 6695-84553
12. Project 04-26 - Fiscal Year 04-05 - Retaining Wall Replacement
 - a. Adopt resolution declaring Anderson Pacific Engineering Construction, Incorporated to be the lowest responsible bidder on the project and awarding a construction contract in the amount of \$244,595.00
 - b. Authorize staff to issue changes order to the construction contract up to an amount of \$4,000.00
13. Award of Construction Contract for Project 04-39 - Fiscal Year 04-05 - CDBG Funded ADA Improvements
 - a. Adopt resolution declaring J.J.R. Construction, Inc. to be the lowest responsible bidder on the project and awarding a construction contract in the amount of \$24,975.00; additionally authorizing contingency of \$800
 - b. Authorize \$6,200 budget adjustment from the remaining CDBG funded ADA Improvement Project 410-0539 (ADA Library Doors) bringing the total appropriations for the project 410-0539 from \$20,000 to \$26,000 contingent upon the County of Santa Clara authorizing the transfer of left over funds from CDBG ADA completed Projects (ADA-Library Doors). If County disallows, authorize \$6,200 budget adjustment from funds available in the Towns Curb, Gutter and Sidewalk Project 03-49.

CONSENT ITEMS (continued)

14. Geology and Geotechnical Peer Review for Private Development Projects
Adopt resolution authorizing the Town Manager to execute a second amendment to the Professional Services Agreement with Geomatrix Consultants, Incorporated to extend the contract for two more years to perform Geology and Geotechnical Peer Review for private development projects
15. Amendment to Agreement for Traffic Consultant Services
Adopt resolution authorizing the Town Manager to execute an amendment to the Professional Services Agreement with TJKM Transportation Consultants to extend the agreement for two years to perform traffic consultant services in the Town of Los Gatos on an on-call basis
16. Adopt resolution authorizing the Town Manager to execute and amendment to the Professional Services Agreement with Fehr and Peers Associates, Incorporated to extend the agreement for two years to perform traffic engineering consultant services in the Town of Los Gatos on an on-call basis
17. Main Street Resurfacing Project
Adopt resolution authorizing the filing of an application for Federal Surface Transportation (STP) Program funding and committing the necessary non-federal match for the project and stating the assurance of the Town of Los Gatos to complete the project
18. Adopt resolution authorizing the Town Manager to execute an agreement with between the Town of Los Gatos and the City of Monte Sereno for road maintenance and public works services

REDEVELOPMENT AGENCY

19. Ratify accounts payable for May 2005
20. Adopt resolution authorizing the Executive Director to execute an agreement between the Redevelopment Agency and the Housing Trust of Santa Clara County providing contributions to the Housing Trust of Santa Clara County for the Phase III Campaign and authorizing a budget adjustment for the Fiscal Year 2005/06 budget in the amount of \$100,000

TOWN COUNCIL/REDEVELOPMENT AGENCY

21. Approve Council/Agency minutes of June 6, 2005
22. Project 04-13 North Santa Cruz Resurfacing - Fourth Amendment to Agreement with BKF Engineers
Adopt resolution authorizing Town Manager/Executive Director to execute a fourth amendment to the professional services agreement with BKF Engineers to provide construction support services in the amount not to exceed \$23,854.00
23. Project 04-38 - Way Finding Sign Project
Adopt resolution accepting work of Chrisp Company and authorizing the Town Manager/Executive Director to execute Certificate of Acceptance and Notice of Completion for recording by the Clerk Administrator/Secretary of the Redevelopment Agency

VERBAL COMMUNICATIONS *(Up to three minutes may be allotted to each speaker to address matters that are not on tonight's agenda.)*

TOWN COUNCIL

PUBLIC HEARINGS *(Applicants/Appellants and their representatives may be allotted up to a total of ten minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of five minutes maximum for closing statements. Items requested/recommended for continuance are subject to Council's consent at the meeting.)*

24. Abatement of Hazardous Vegetation (Brush)
Adopt resolution overruling objections and ordering hazardous vegetation abatement (brush)
25. Consider a request to modify a Conditional Use Permit for a restaurant (Sushi E!) to allow the service of beer and wine with meals on property zoned C-1. Conditional Use Permit U-05-014 APN: 407-33-021 Location: 1458 Pollard Road Property owner: Rinconada Hill Investment Co. Applicant: Yoon Nyoun Kim
26. Consider a request to modify a Conditional Use Permit for a restaurant to legalize the increase in the number of seats, to modify the type of allowed entertainment and to increase the days when entertainment is available on property zoned C-2:PD:LHP. Conditional Use Permit U-03-7 APN 529-02-044 Location: 50 University Avenue, Suite 180 Property owner: Federal Realty Applicant: Steve Hauck (Wine Cellar)

OTHER BUSINESS *(Up to three minutes may be allotted to each speaker on any of the following items.)*

27. Adopt Commercial Design Guidelines **(from 4/18/05)**
28. Approval of summary notes and action items for Town Council - Planning Commission Retreat of April 27, and consideration of structural changes to the composition of the Planning Commission

COUNCIL/TOWN MANAGER REPORTS

29. Council Matters
30. Manager Matters
Discussion of guiding principles and options for setting service priorities

ADJOURNMENT *(Council/Redevelopment Agency policy is to adjourn no later than midnight unless a majority of Council/Redevelopment Agency votes for an extension of time)*

Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure § 1094.6; litigation challenging a decision of the Town Council/Redevelopment Agency must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law.